

IN RE: PETITION FOR SPECIAL HEARING
SE/S Belair Road, 150' SW of
the c/l of Horn Avenue
(9523 Belair Road)
11th Election District
5th Councilmanic District

Orville M. Jones
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-216-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 9523 Belair Road, located in the vicinity of Perry Hall. The Petition was filed by the owner of the property, Orville M. Jones. The Petitioner seeks approval of a waiver of the Department of Public Works standards from making certain road improvements along the rear property line fronting Horn Avenue for a proposed car wash that was approved by the Baltimore County Board of Appeals in prior Case Nos. XI-610 and 93-214-SPHX.

Appearing at the hearing on behalf of the Petition were Orville M. Jones, property owner, Judith Floam, a Consultant with Colbert, Matz, Rosenfelt, and Woolfolk, Inc., the engineering firm that prepared the site plan for this property, and John B. Gontrum, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Consideration of the proposed development of the subject property originally came before me as a combined Development Plan and Petitions for Special Hearing and Special Exception in Case Nos. XI-610 and 93-214-SPHX. In that matter, Mr. Jones petitioned this Commissioner for approval of a development plan, pursuant to the development regulations as codified in Title 26, Article V of the Baltimore County Code (B.C.C.), and a special exception to permit a car wash use in a B.L. zone. By my Opinion and Order

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

dated April 28, 1993, I denied the Petition for Special Exception. Moreover, the Petition for Special Hearing was withdrawn in open hearing. I also held that consideration of the development plan was moot and withheld approval of same in view of the denial of the special exception. Undeterred, the Petitioner filed an appeal to the Baltimore County Board of Appeals. The Board reheard the case as provided in the B.C.C., and upon due consideration of the facts presented, granted the Petition for Special Exception and approved the development plan. The matter has been further appealed by the Office of People's Counsel and opposing neighbors and is pending before the Court of Special Appeals at this time.

As noted in my earlier opinion, the subject property is a narrow, yet deep lot consisting of a net area of 0.74 acres, which fronts on Belair Road. The front 0.63 acres is zoned B.L., and the remaining 0.11 acres to the rear of the site is zoned D.R. 16. The Petitioner proposes to develop the site with a car wash. The proposed building will be perpendicular to Belair Road as shown on the plan. On the original plan, the Petitioner showed certain public works improvements to Horn Avenue, which borders the rear of this lot, adjacent to the D.R. 16 zoned portion of the site. On the other side of Horn Avenue, a residential community known as Ludwig Estates is situated.

In the instant case, the matter comes before me as a Petition for Special Hearing. The relief requested therein is quite unusual. As noted above, the request seeks a waiver of Department of Public Works standards for certain road improvements to the rear of the subject site. Specifically, the Petitioner seeks a waiver of Public Works standards which would require curb, gutter and sidewalks to the rear of the subject site. It was proffered at the hearing that the Petitioner/Developer is dedicating

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Date

By

RECEIVED

an additional 10-foot right-of-way along the rear property line adjacent to Horn Avenue and would be paving an additional 5 feet of that roadway. However, notwithstanding these improvements, the Petitioner believes that full Public Works standards (i.e., curb, gutter and sidewalks) need not be installed. I agree. As set forth in my initial opinion in the prior case, I am appreciative of the residential character of the rear of this lot and community adjacent thereto. It seems most appropriate to me to foster the residential appearance of the property which abuts this neighborhood. Horn Avenue is a lightly travelled street, to which there will be no vehicular access from the subject car wash. There seems to be no logical reason to require improvements to this street and alter the character of same from a residential roadway to a commercial corridor. Moreover, the absence of any representatives from the Department of Public Works at the hearing, prevented the presentation of any testimony which was compelling in support of the full improvements. Thus, in my view, the relief requested in the Petition for Special Hearing should be granted.

It is also worth noting in passing that the request contained within the instant Petition for Special Hearing is unusual. This Zoning Commissioner cannot recall a similar case being so filed, although Section 500.7 of the B.C.Z.R. provides the Commissioner with wide discretion and authority. Clearly, the effect of this Petition is a request to amend the previously approved site plan/development plan for the project which is pending at the Court of Special Appeals.

Moreover, Section 26-172 of the B.C.C. is not a bar to the relief sought. That Section does provide the Hearing Officer the authority to grant waivers from certain development regulations at the request of a Department Director. It has been held that waivers may be granted only

ORDER RECEIVED FOR FILING

Date

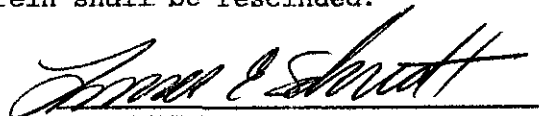
By

when a request is so made by a Department Director. Although no request has been made in this case, it is equally clear that this matter does not come before me sitting as a Hearing Officer, and thus, the development regulations are not applicable. Rather, my authority in this instance is derived from Section 500.7 of the B.C.Z.R. and the special hearing provisions thereunder.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the special hearing relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of April, 1995 that the Petition for Special Hearing seeking approval of a waiver of the Department of Public Works standards from making certain road improvements along the rear property line fronting Horn Avenue for a proposed car wash that was approved by the Baltimore County Board of Appeals in prior Case Nos. XI-610 and 93-214-SPHX, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 4/5/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 5, 1995

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING
SE/S Belair Road, 150' SW of the c/l of Horn Avenue
(9523 Belair Road)
11th Election District - 5th Councilmanic District
Orville M. Jones - Petitioner
Case No. 95-216-SPH

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Orville M. Jones
9533 Belair Road, Baltimore, Md. 21236

Ms. Judith Floam, Colbert, Matz, Rosenfelt & Woolfolk, Inc.
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

People's Counsel

✓ File

MICROFILMED





Petition for Special Hearing

75-216-SPH

to the Zoning Commissioner of Baltimore County

for the property located at

9523 BELAIR ROAD

which is presently zoned BL & DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A WAIVER OF DEPARTMENT OF PUBLIC WORKS STANDARDS FROM THE REQUIREMENT TO MAKE ROAD IMPROVEMENTS ALONG THE REAR PROPERTY FRONTAGE ON HORN AVENUE (SEE ATTACHED).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

JOHN GUNTRUM, ESQ.

(Type or Print Name)

Signature

814 EASTERN BLVD. 686-8274

BALTIMORE, MD 21221

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

ORVILLE M. JONES

(Type or Print Name)

Signature

(Type or Print Name)

Signature

9533 BELAIR ROAD

Address

BALTIMORE, MD

MD

21236

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

JUDITH FLOAM

COLBERT MATZ ROSENFELT & WOOLFOLK, INC.

Name

3723 OLD COURT ROAD, STE. 206

Address

BALTIMORE, MD 21208

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL OTHER

REVIEWED BY: R.T.C.

DATE

12-12-94

ITEM# 208

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

4932 HAZELWOOD AVENUE

BALTIMORE, MD 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR JONES CARWASH # 9523 BELAIR ROAD

BEGINNING at a point on the southeast side of Belair Road, 60 feet wide, at the distance of 150 feet, more or less, in a southwesterly direction from the centerline of Horn Avenue thence running with and binding on the southwest side of said Belair Road 1) South 47 degrees 33 minutes 30 seconds West 109.78 feet thence running the three following courses and distances: 2) South 44 degrees 17 minutes East 330.26 feet 3) North 16 degrees 25 minutes East 147.85 feet and 4) North 48 degrees 36 minutes 10 seconds West 255.10 feet to the place of beginning. As recorded in Deed Liber 5844 Folio 235 etc.

CONTAINING 0.81 acres of land, more or less and located in the 11th election district.

ITEM # 208



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-116-SPT

District: 11th Date of Posting: 12/28/94

Posted for: Special Hearing

Petitioner: Orville M. Jones

Location of property: 9323 Belair Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by: M. Tecky Date of return: 12/30/94
Signature

Number of Signs: 1

MICROFILMED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue (on Towson, Maryland 21204) on Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:

95-216-SPH (Item 208)

9523 Belair Road

SE/3 Belair Road, 150

SW of 41st Avenue

11th Election District

5th Councilmanic

Legal Owner(s):

Orville M. Jones

HEARING: FRIDAY

JANUARY 20, 1995 at 9:00

a.m. in Rm. 106, County Office Building.

Special Hearing: to approve a waiver of the Department of Public Works standards from the requirement to make road improvements along the rear property frontage on Horn Avenue.

LAWRENCE E. SCHMIDT,

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Handicapped accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3353.

12/15 December 20

CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 30, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 29, 1994

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

~~Publisher~~

12/29/94



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-216-SPH

Account: R-001-6150

Number 208

R.T.T.

Date 12-12-94

MR. ORVILLE M. JONES

9533 BELAIR RD

BALTO. MD. 21236

080 — SIGN — \$ 35⁰⁰

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PAID BY BANK

SA TOP SECRET

EST. 1911

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-216-SPH

Account: R-001-6150

Number 208

R.TT

Date 12-12-94

MR. ORVILLE M. JONES

9533 BELAIR RD

BALTO. MD. 21236

080 — SIGN — \$ 35⁰⁰

0260280050NICHRT
BA 0010:00AM 12-12-94

\$35.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

95-216-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 152258

DATE 10/19/94 ACCOUNT R-001-6150

AMOUNT \$ 250.00

RECEIVED
FROM:

Gwille M. Jones

FOR:

Jones Car Wash 10244A

01A01#0233MICRC

\$250.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER

aw

~~that explains~~

To pay for hearing —
did not need DRC
per WCR

NOTED

ITEM# 208

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 208

Petitioner: ORVILLE M. JONES

Location: 9523 BELAIR RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ORVILLE M. JONES

ADDRESS: 9533 BELAIR JONES

BALTO. MD. 21236

PHONE NUMBER: (401) 252-6630

AJ:ggs

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(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
December 29, 1994 Issue - Jeffersonian

Please forward billing to:

Orville M. Jones
9533 Belair Road
Baltimore, MD 21236
410-256-6630

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-216-SPH (Item 208)
9523 Belair Road
SE/S Belair Road, 150'+ SW of c/l Horn Avenue
11th Election District - 5th Councilmanic
Legal Owner(s): Orville M. Jones
HEARING: FRIDAY, JANUARY 20, 1995 at 9:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver of the Department of Public Works standards from the requirement to make road improvements along the rear property frontage on Horn Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 22, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-216-SPH (Item 208)

9523 Belair Road

SE/S Belair Road, 150'+ SW of c/l Horn Avenue

11th Election District - 5th Councilmanic

Legal Owner(s): Orville M. Jones

HEARING: FRIDAY, JANUARY 20, 1995 at 9:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver of the Department of Public Works standards from the requirement to make road improvements along the rear property frontage on Horn Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Orville M. Jones
John Gontrum, Esq.
Judith Floam

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR ~~INFORMATION~~ CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 13, 1995

John Guntrum, Esquire
814 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No.: 208
Case No.: 95-216SPH
Petitioner: Orville Jones

Dear Mr. Guntrum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 12, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Zoning Administration and
 Development Management

Date: January 5, 1995

FROM: *RWB* Robert W. Bowling, Chief
 Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting
 for January 3, 1995
 Item No. 208

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to all previous landscape review comments. In addition, the previous comments from the Development Review Committee recommended against granting a waiver of the improvements to Horn Avenue. These improvements are the responsibility of the Developer. This is still the position of the Department of Public Works.

RWB:jrb

cc: File

RWB10

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: January 3, 1995

SUBJECT: 9523 Belair Rd.

INFORMATION:

Item Number: 208

Petitioner: Orville M. Jones

Property Size: _____

Zoning: BL & DR-16

Requested Action: Special Hearing

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon an analysis of the information provided, staff defers to the position of the Department of Public Works regarding the subject request.

Prepared by: Jeffrey W. Long

Division Chief: Camille

PK/JL:lw

RECEIVED
JAN 10 1995

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 27, 1994.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 208, 209, 210, 211,
212, 214, 215 AND 216.

RECEIVED

JAN 3 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
9523 Belair Road, SE/S Belair Road, * ZONING COMMISSIONER
150'+ SW of c/l Horn Avenue, 11th * OF BALTIMORE COUNTY
Election Dist., 5th Councilmanic *
Orville M. Jones * CASE NO. 95-216-SPH
Petitioner *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Romadka, Gontrum & McLaughlin, 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioners.

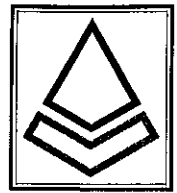
Peter Max Zimmerman

PETER MAX ZIMMERMAN

1995 JAN 11 10:00 AM

Colbert Matz Rosenfelt & Woolfolk, Inc.

Civil Engineers • Landscape Architects • Land Surveyors • Land Planners



November 17, 1994

Re: Jones Car Wash Special Hearing
9523 Belair Road
Job No. 94083

The petition has been filed to request a waiver of development standards for improvements along the rear frontage of this site, on Horn Avenue, in conjunction with the development of a car wash on this property.

The property is split-zoned, with the frontage along Horn Avenue zoned D.R.-16 and the remainder of the property zoned BL. The split zoning was done in 1988, and was intended to preclude any commercial use or access at the rear of the property along Horn Avenue. In addition, the Special Exception approval (Case No. CBA-93-133) includes a restriction that "No access shall be provided to Horn Avenue now or in the future". Finally, the grades of the site are such that the site will be higher than Horn Avenue, physically preventing any possible access to Horn Avenue.

The site layout is designed so that all vehicular traffic is within the BL portion of the site and the only access is from Belair Road at the front of the site. The rear of the property will remain vacant, to a depth varying from 30 to 50 feet from the street line along Horn Avenue. The site plan includes a 10-foot strip which will be dedicated to Baltimore County for the right-of-way of Horn Avenue.

Sites across Horn Avenue are entirely developed with single-family homes, and Baltimore County has restricted access to Horn Avenue by making it one-way north from a point just south of this property.

Because of the restrictions imposed by the Special Exception and the D.R. zoning, as well as the low traffic use on Horn Avenue, we request a variance to eliminate the Department of Public Works requirement to improve Horn Avenue along the frontage of this property.

Judith M. Floam

[Faint handwritten text]

ITEM# 208

3723 Old Court Road, Suite 206
Baltimore, Maryland 21208



Printed on Recycled Paper

Telephone: (410) 653-3838
Facsimile: (410) 653-7953

COLBERT MATZ ROSENFELT & WOODOLK, INC.
3723 Old Court Road Suite 206
BALTIMORE, MARYLAND 21208

5927-74
LETTER OF TRANSMITTAL

(410) 653-3838
FAX (410) 653-7953

12/8/94
cf
TO Balt. County Office of Zoning
111 W. Chesapeake Ave.
Towson, Md.

by hand

DATE	12/7/94	JOB NO.	94083
ATTENTION	Reg		
RE:	Jones Car Wash		

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☒ as noted

COPIES	DATE	NO.	DESCRIPTION
12			Plat
3			Petition
1			Letter
1			200' scale zoning map
1			Receipt for payment of \$250. fee
1			Check for sign posting \$35.00
3			Zoning Description

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☒ for hearing
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

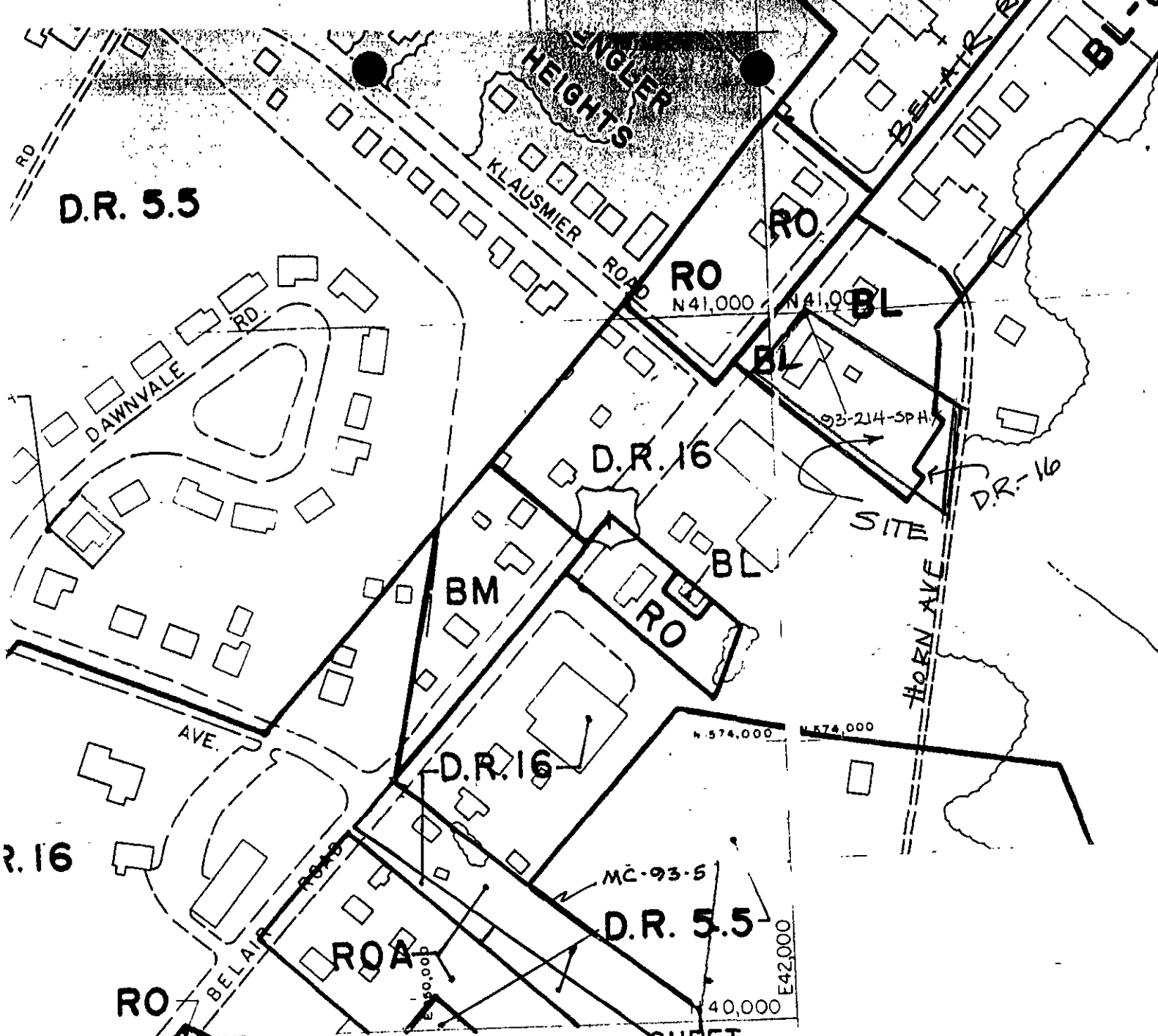
RECEIVED
DEC 8 1994
ZADM

COPY TO file

RECYCLED PAPER:
Contents: 40% Pre-Consumer • 10% Post-Consumer

SIGNED Judy Floare

If enclosures are not as noted, kindly notify us at once.



SCALE
1" = 200' ±
DATE OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
PERRY HALL.
95-216-SPH

SHEET
N E
11-G

ITEM# 208

MICROFILMED

PETITIONER'S EXHIBITS 2C

2D



2A

2B

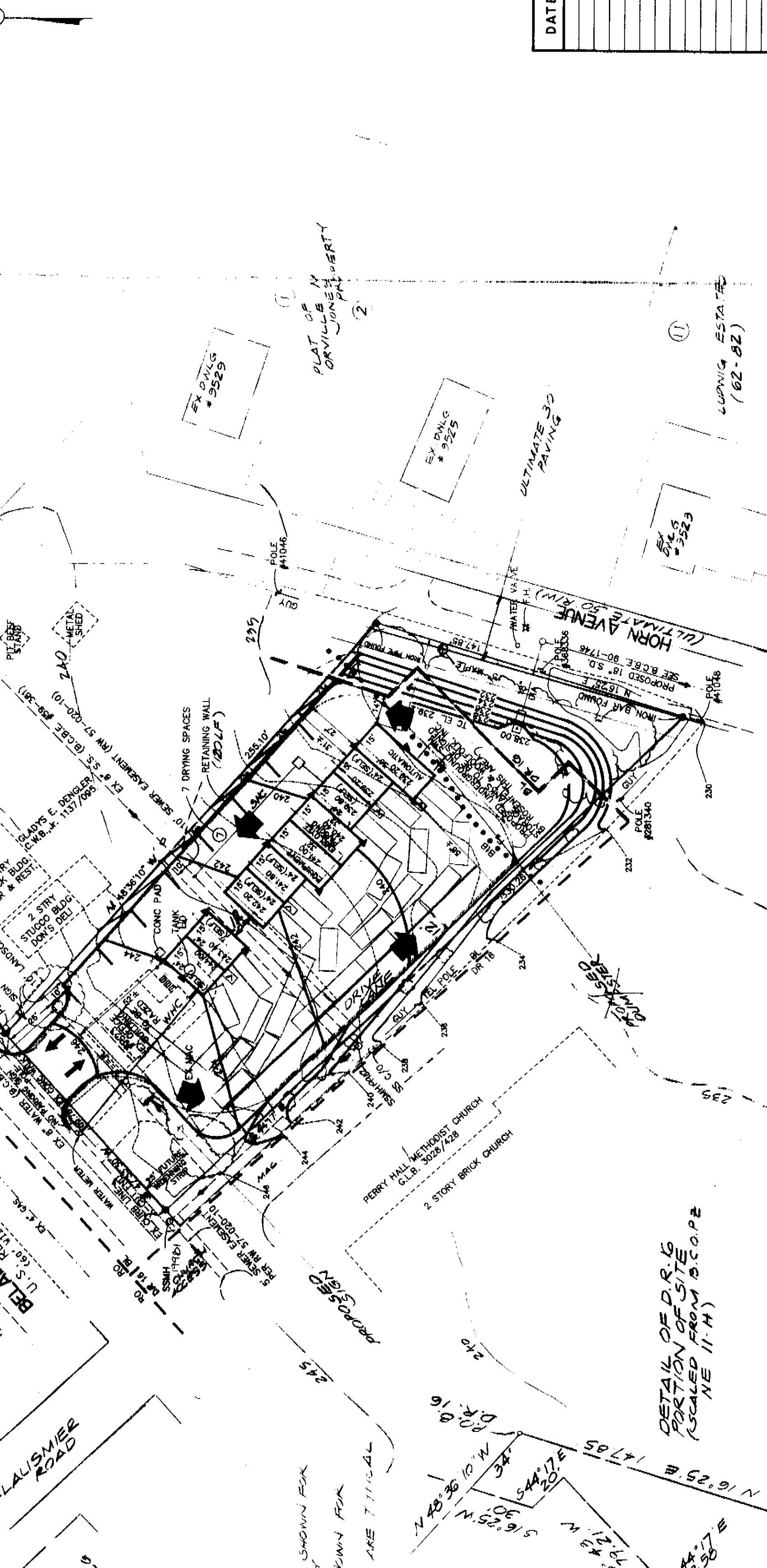


SOIL TYPES & LIMITATIONS			
TYPE	CLASS	BUILDINGS W/O BASEMENTS	BUILDINGS W/O BASEMENTS
BE-B	SLT./CLAY	MODERATE	SEASONALLY PERCHED WATER TABLE
FS	LOAM	SEVERE	HIGH WATER TABLE, POOR NATURAL DRAINAGE
			SEVERE HIGH WATER TABLE, POOR NATURAL DRAINAGE

STREETS & PARKING AREAS	SEASONALLY PERCHED WATER TABLE	SLOPE
WATER AVENUE	SEVERE	POOR NATURAL DRAINAGE
BLAIR ROAD	SEVERE	POOR NATURAL DRAINAGE
WATER AVENUE	SEVERE	POOR NATURAL DRAINAGE
BLAIR ROAD	SEVERE	POOR NATURAL DRAINAGE



GENERAL NOTES:
 1. THIS SITE LIES IN:
 2. ELECTION DISTRICT #11
 3. COUNCILMANIC DISTRICT #5
 4. CENSUS TRACT #4113.03
 5. SUBDIVISION #22
 6. SITE ACRES: 0.63
 7. GROSS: 41,403 SF ± = 0.95 AC ±
 8. NET: 32,404 SF ± = 0.74 AC ±
 9. SEE ZONING CALCULATIONS FOR REQUIRED PARKING CALCULATIONS.
 10. QUESNIES NUMBER OF PARKING SPACES PROPOSED:
 11. DEEMED TO BE A MINIMUM OF 28 SPACES.
 12. LANDSCAPING REQUIRED:
 13. LANDSCAPE PLAN:
 14. FLOOD AREA RATIO PERMITTED = 3.0
 15. FLOOD AREA RATIO PROPOSED = 3.0
 16. THERE ARE NO KNOWN WELLS, SEPTIC OR STORAGE TANKS WITHIN 100' OF SITE PER OWNER.
 17. SOIL TYPES: B&B, FS
 18. AREAS WHERE DEVELOPMENT OCCURS, VEGETATION TO BE REMOVED UNLESS OTHERWISE NOTED.
 19. SITE LIES IN ZONING DISTRICT #11-1000 = 0.1
 20. THERE ARE NO HISTORIC BUILDINGS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS MATERIALS KNOWN ON SITE.
 21. EXISTING ZONING OF SITE/ACRES:
 22. BL/0.63 AC ±
 23. DR/0.11 AC ±
 24. DR/0.11 AC ±
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MIN. 2' STAKING SPACES SHOWN FOR EACH SELF-SERVICE BAY
 7 STAKING SPACES SHOWN FOR AUTOMATIC WASH BAY
 ALL STAKING SPACES ARE TYPICAL
 20' MIN. DRIVE LANE

DETAIL OF DRIVE LANE PORTION OF SITE (SCALED FROM SCOPE NE 11-H)

ZONING REQUESTS
 1. SPECIAL EXCEPTION TO ALLOW A CAR WASH IN A BL ZONE PURSUANT TO SEC. 230.13
 2. SPECIAL HEARING TO ALLOW A DRIVE LANE IN A DR ZONE.

SITE DATA
 ZONE: BL
 ACRES (NET): 0.63
 BL: 0.63
 DR: 0.11
 SITE DEVELOPMENT PROPOSAL
 PROPOSED UNITS:
 7 BAYS 1 EQUIPMENT UNIT 1 PARKING UNIT
 OPEN SPACE PROPOSED (N/A)
 STACKING REQUIRED 28 SPACES
 STACKING PROPOSED 28 SPACES

3' BIT. SURFACE COURSE (2 - 1 1/2" LAYERS)
 6" BASE COURSE CR-1 OR CR-6
 TYPICAL PAVING SECTION (OR AS RECOMMENDED BY SOILS ENGINEER)

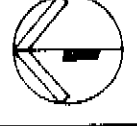
SOUTHWEST FACE OF BLDG.
 NORTHEAST FACE OF BLDG.

WEST FACE OF BLDG.
 EAST FACE OF BLDG.

PROPOSED SIGN: SUD CAR WASH

PROPOSED DOUBLE FACED SIGN

VICINITY MAP
SCALE: 1" = 500'



BENCHMARK: HUB X 815 ELEV. 248.599 RAILROAD SPIKE IN MACADAM
SOUTHEAST CORNER BEL AIR ROAD AND HORN AVENUE

GENERAL NOTES

- Orville M. Jones
9523 Belair Road
Baltimore Md. 21236
(410) 256-6630
- Deed Reference: 284/1035
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- F.A.R. - Permitted: 3.0
Proposed: 4000sf/1000sf = 0.1
- Off-Street Parking/Vehicular Waiting Line Storage:
(Required Storage for 30-Minute Period)
Owner Wash: 6 Bays @ 15 min/wash = 2/bay = 12 spaces
Automatic: 1 Bay @ 5 min/wash = 6/bay = 6 spaces
Additional: 1 Bay @ 5 min/wash = 6/bay = 6 spaces
Total Required: 24 spaces
Total Provided: 28 spaces
- Zoning History: Special Exception for Car Wash and Development
Zoning: C-1 (Community Center) - C-2 (Community Center)
Plan Approved by Baltimore County Council (Case No. CBA 93-133) Special
Baltimore County Circuit Court (Case No. CBA 93-133) Special
Signs will be in conformance with the applicable provisions of
the Baltimore Co. Zoning Regulations S.413.2 and S.413.5.

95-216-SRH

ITEM #208

PLAT TO ACCOMPANY SPECIAL HEARING

JONES CARWASH

#9523 BELAIR ROAD
BALTIMORE COUNTY MD
11TH ELECTION DISTRICT C5
DEED REFERENCE: 5844/235
TAX ACCOUNT #: 11-200066828

REVISIONS:

SCALE: 1"=20'	DATE:
JOB NO.: 94083	DESIGNED:
DRAWN:	CHECKED:

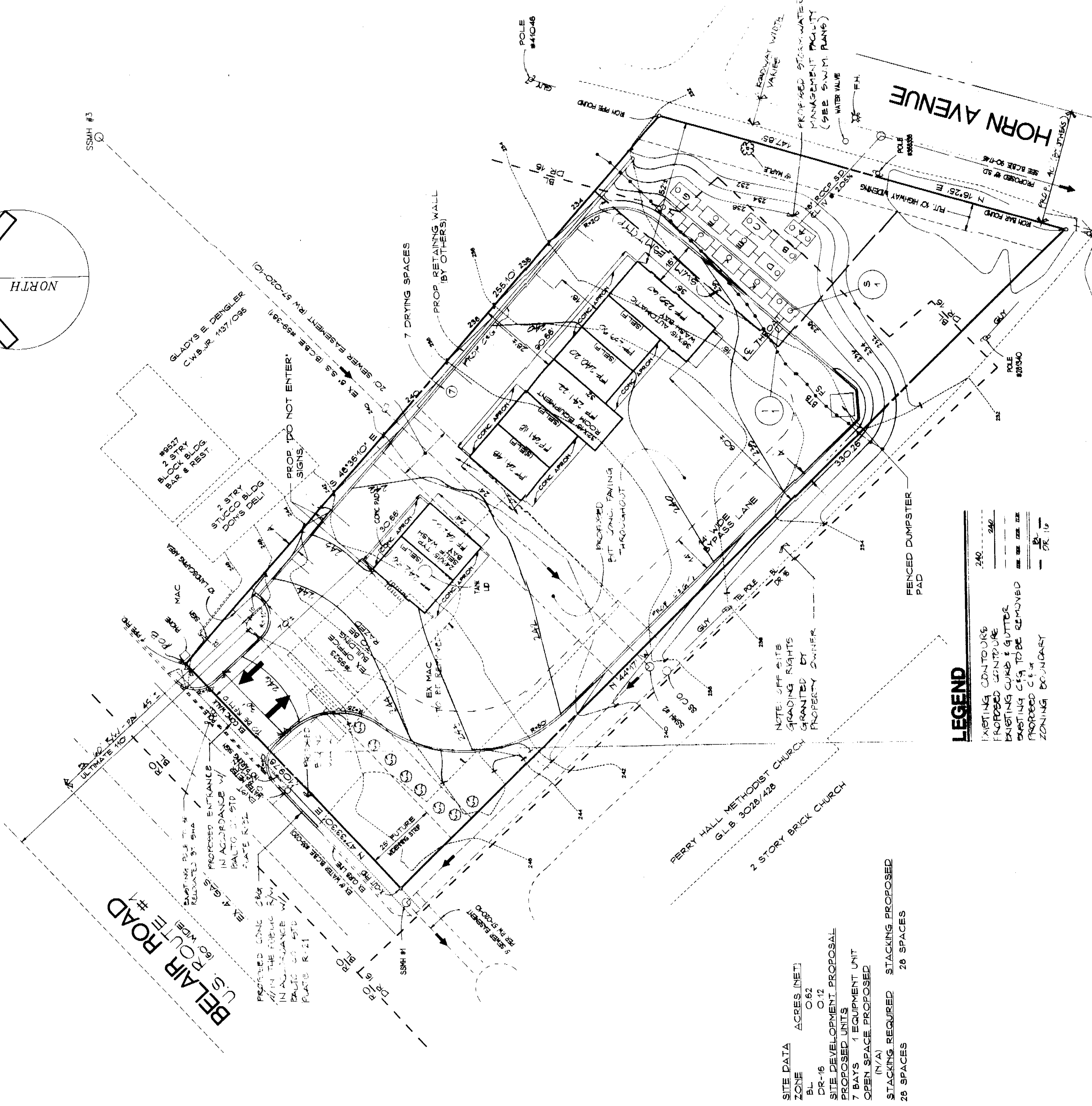
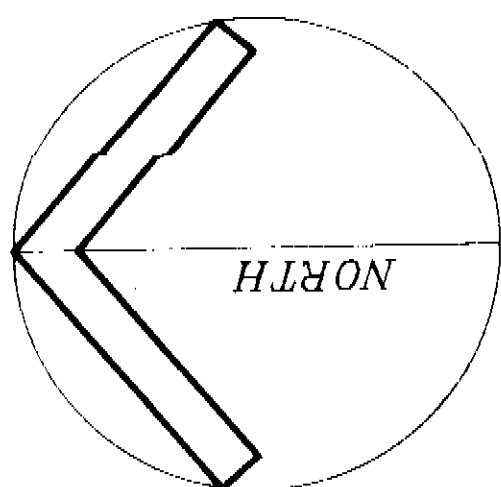
MICROFILMED

Colbert Matz
Rosentfeld & Woolfolk, Inc.
304 E. Baltimore Ave.
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Fax: (410) 653-7953

FILE: 94083SIT.DWG
DRAWING NUMBER:

SHEET 1 OF 1

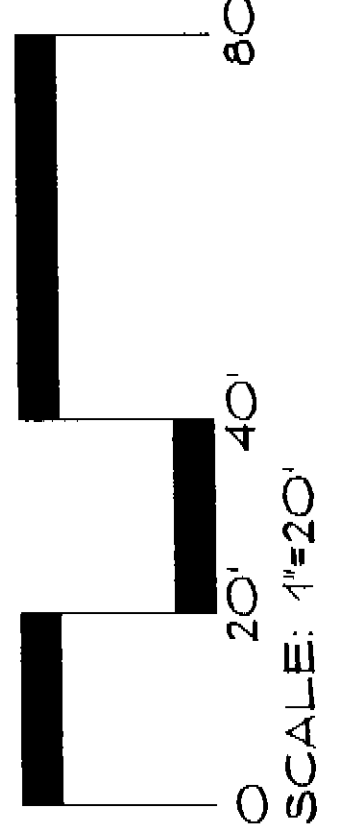
OWNER/APPLICANT
C. VILLE M. JONES
#9 23 BELAIR ROAD
BAL MORE MD 21236
410/256-6630



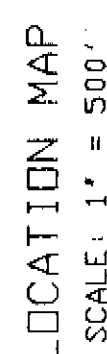
LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING CURBS & GUTTERS
- EXISTING C&G TO BE REMOVED
- PROPOSED C&G
- ZONING BOUNDARY

SITE DATA
ZONE: BL
ACRES (NET): 0.62
0.12
SITE DEVELOPMENT PROPOSAL
PROPOSED UNITS
7 BAYS 1 EQUIPMENT UNIT
OPEN SPACE PROPOSED
(N/A)
STACKING REQUIRED 28 SPACES
STACKING PROPOSED 28 SPACES



SCALE: 1"=20'



LOCATION MAP
SCALE: 1" = 500'

RESTRICTION NOTE PER 18A-05-103 JAMES GARWASH, IZM, N. 610
T-55 AM TO 10:00 PM

1. THE BUSINESS HOURS OF OPERATION SHALL BE FROM 11:00 AM TO 10:00 PM
2. A FULL-TIME ATTENDANT SHALL BE EMPLOYED ON-SITE DURING BUSINESS HOURS. FREIGHT TRUCKS FROM CUSTOMERS RARELY OUTLASTING THE NEIGHBORHOOD.
3. THE LANDSCAPING MUST ADEQUATELY SHIELD THE RESIDENCES ON HORN AVENUE AND THE PROPERTY LINE BETWEEN THE GARWASH AND THE GARWASH.
4. NO ACCESS SHALL BE PROVIDED TO HORN AVENUE NOW OR IN THE FUTURE.

[illegible]

REVISED LAYOUT AND GRADING STUDY TO ACCOMPANY
DEVELOPMENT PLAN AND SPECIAL EXCEPTION PLAN

JONES CARWASH
#9523 BELAIR ROAD

11th ELECTION DISTRICT
SCALE: 1" = 20'

BALTIMORE COUNTY, MD.
02-01-93

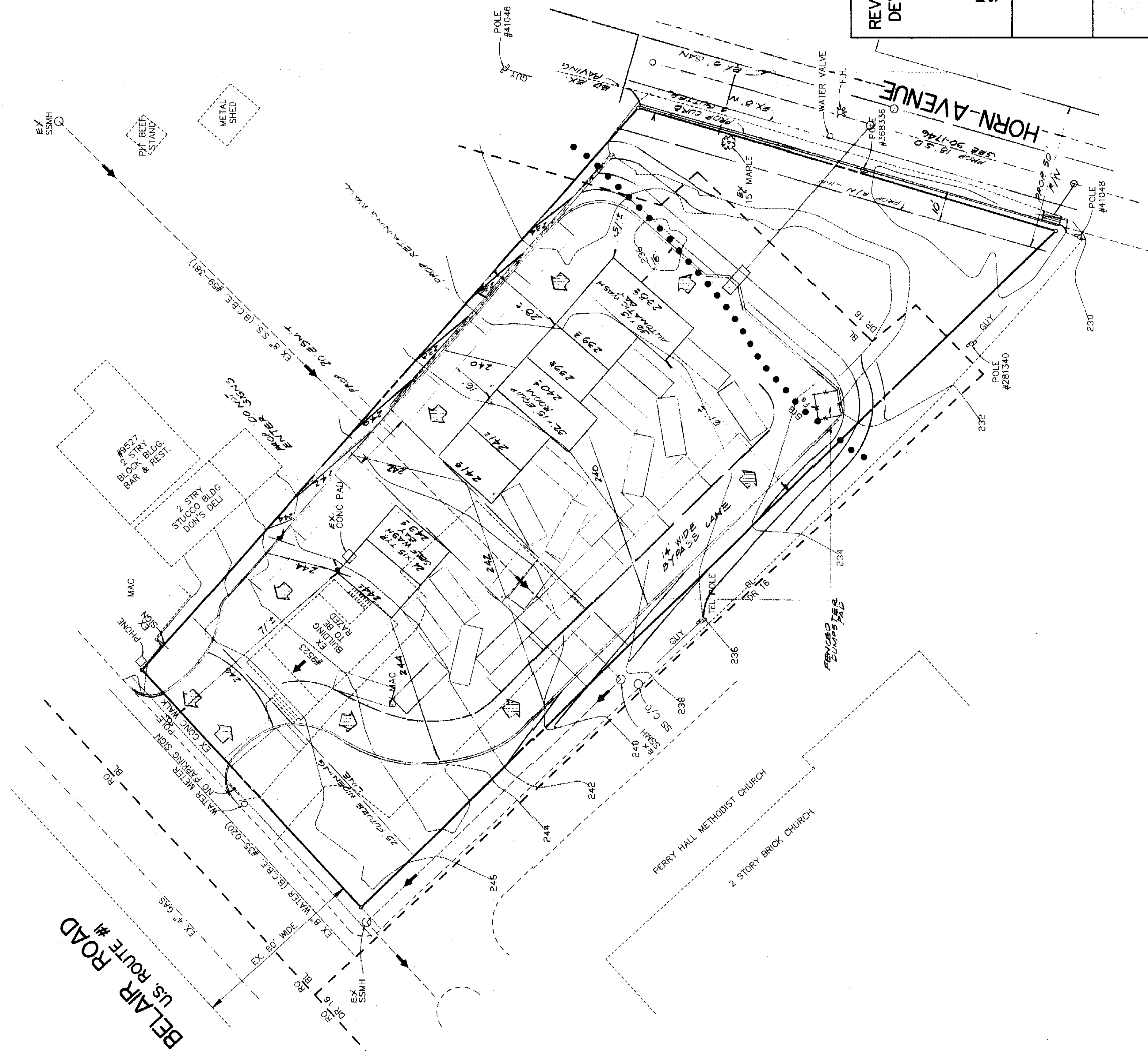
OWNER/APPLICANT
ORVILLE M. JONES
#9533 BELAIR ROAD
BALTIMORE, MD. 21236
(410)256-6630

DEED REFERENCE: 5844/235
TAX ACCOUNT #: I-20066828

28

J.S. DALLAS, INC.
Surveying & Engineering
4932 Hazelwood Avenue
Baltimore, Maryland 21206
Telephone, (410) 666-2001
DWG 8984-18

THIS PLAN IS SEALED AND
CERTIFIED TO BE IN ACCORDANCE
WITH THE HEARING OFFICERS
ORDER AND ALL AGENCY
COMMENTS



IN RE: PETITION FOR SPECIAL HEARING
SE/8 Belair Road, 150' SW of
the c/l of Horn Avenue
(9523 Belair Road)
11th Election District
5th Councilmanic District
Orville M. Jones
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-216-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 9523 Belair Road, located in the vicinity of Perry Hall. The Petition was filed by the owner of the property, Orville M. Jones. The Petitioner seeks approval of a waiver of the Department of Public Works standards from making certain road improvements along the rear property line fronting Horn Avenue for a proposed car wash that was approved by the Baltimore County Board of Appeals in prior Case Nos. XI-610 and 93-214-SPHX.

Appearing at the hearing on behalf of the Petition were Orville M. Jones, property owner, Judith Floam, a Consultant with Colbert, Matz, Rosenfelt, and Woolfolk, Inc., the engineering firm that prepared the site plan for this property, and John B. Gontrum, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Consideration of the proposed development of the subject property originally came before me as a combined Development Plan and Petitions for Special Hearing and Special Exception in Case Nos. XI-610 and 93-214-SPHX. In that matter, Mr. Jones petitioned this Commissioner for approval of a development plan, pursuant to the development regulations as codified in Title 26, Article V of the Baltimore County Code (B.C.C.), and a special exception to permit a car wash use in a B.L. zone. By my Opinion and Order

dated April 28, 1993, I denied the Petition for Special Exception. Moreover, the Petition for Special Hearing was withdrawn in open hearing. I also held that consideration of the development plan was moot and withheld approval of same in view of the denial of the special exception. Undeterred, the Petitioner filed an appeal to the Baltimore County Board of Appeals. The Board reheard the case as provided in the B.C.C., and upon due consideration of the facts presented, granted the Petition for Special Exception and approved the development plan. The matter has been further appealed by the Office of People's Counsel and opposing neighbors and is pending before the Court of Special Appeals at this time.

As noted in my earlier opinion, the subject property is a narrow, yet deep lot consisting of a net area of 0.74 acres, which fronts on Belair Road. The front 0.63 acres is zoned B.L., and the remaining 0.11 acres to the rear of the site is zoned D.R. 16. The Petitioner proposes to develop the site with a car wash. The proposed building will be perpendicular to Belair Road as shown on the plan. On the original plan, the Petitioner showed certain public works improvements to Horn Avenue, which borders the rear of this lot, adjacent to the D.R. 16 zoned portion of the site. On the other side of Horn Avenue, a residential community known as Ludwig Estates is situated.

In the instant case, the matter comes before me as a Petition for Special Hearing. The relief requested therein is quite unusual. As noted above, the request seeks a waiver of Department of Public Works standards for certain road improvements to the rear of the subject site. Specifically, the Petitioner seeks a waiver of Public Works standards which would require curb, gutter and sidewalks to the rear of the subject site. It was proffered at the hearing that the Petitioner/Developer is dedicating

- 2 -

an additional 10-foot right-of-way along the rear property line adjacent to Horn Avenue and would be paving an additional 5 feet of that roadway. However, notwithstanding these improvements, the Petitioner believes that full Public Works standards (i.e., curb, gutter and sidewalks) need not be installed. I agree. As set forth in my initial opinion in the prior case, I am appreciative of the residential character of the rear of this lot and community adjacent thereto. It seems most appropriate to me to foster the residential appearance of the property which abuts this neighborhood. Horn Avenue is a lightly travelled street, to which there will be no vehicular access from the subject car wash. There seems to be no logical reason to require improvements to this street and alter the character of same from a residential roadway to a commercial corridor. Moreover, the absence of any representatives from the Department of Public Works at the hearing, prevented the presentation of any testimony which was compelling in support of the full improvements. Thus, in my view, the relief requested in the Petition for Special Hearing should be granted.

It is also worth noting in passing that the request contained within the instant Petition for Special Hearing is unusual. This Zoning Commissioner cannot recall a similar case being so filed, although Section 500.7 of the B.C.C.R. provides the Commissioner with wide discretion and authority. Clearly, the effect of this Petition is a request to amend the previously approved site plan/development plan for the project which is pending at the Court of Special Appeals.

Moreover, Section 26-172 of the B.C.C. is not a bar to the relief sought. That Section does provide the Hearing Officer the authority to grant waivers from certain development regulations at the request of a Department Director. It has been held that waivers may be granted only

- 3 -

when a request is so made by a Department Director. Although no request has been made in this case, it is equally clear that this matter does not come before me sitting as a Hearing Officer, and thus, the development regulations are not applicable. Rather, my authority in this instance is derived from Section 500.7 of the B.C.C.Z.R. and the special hearing provisions thereunder.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the special hearing relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of April, 1995 that the Petition for Special Hearing seeking approval of a waiver of the Department of Public Works standards from making certain road improvements along the rear property line fronting Horn Avenue for a proposed car wash that was approved by the Baltimore County Board of Appeals in prior Case Nos. XI-610 and 93-214-SPHX, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 5, 1995

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING
SE/8 Belair Road, 150' SW of the c/l of Horn Avenue
(9523 Belair Road)
11th Election District - 5th Councilmanic District
Orville M. Jones - Petitioner
Case No. 95-216-SPH

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Orville M. Jones
9533 Belair Road, Baltimore, Md. 21236

Ms. Judith Floam, Colbert, Matz, Rosenfelt & Woolfolk, Inc.
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

People's Counsel

File



Petition for Special Hearing

95-216-SPH
to the Zoning Commissioner of Baltimore County
for the property located at 9523 BELAIR ROAD
which is presently zoned BL & DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A WAIVER OF DEPARTMENT OF PUBLIC WORKS STANDARDS FROM THE REQUIREMENT TO MAKE ROAD IMPROVEMENTS ALONG THE REAR PROPERTY FRONTAGE ON HORN AVENUE (SEE ATTACHED).

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessor:
(Type or Print Name)
Signature
Address
City State Zip

With do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

ORVILLE M. JONES
(Type or Print Name)

Orville M. Jones
Signature

(Type or Print Name)

9533 BELAIR ROAD
Address

BALTIMORE, MD 21236
City State Zip

JUDITH FLOAM
COLBERT MATZ ROSENFELT & WOOLFOLK, INC.
3723 OLD COURT ROAD, STE. 206
BALTIMORE, MD 21208
City State Zip

ESTIMATED LENGTH OF HEADINGS
unavailable for hearing

the following date: 12-12-94

RECEIVED BY: DATE: 12-12-94

ITEM# 208

J. S. DALLAS, INC.

SURVEYING & ENGINEERING
4932 HAZELWOOD AVENUE
BALTIMORE, MD 21206
(410) 866-2001
FAX (410) 866-2003

ZONING DESCRIPTION FOR JONES CARWASH # 9523 BELAIR ROAD

BEGINNING at a point on the southeast side of Belair Road, 60 feet wide, at the distance of 150 feet, more or less, in a southwesterly direction from the centerline of Horn Avenue thence running with and binding on the southwest side of said Belair Road 1) South 47 degrees 33 minutes 30 seconds West 109.78 feet thence running the three following courses and distances: 2) South 44 degrees 17 minutes East 330.26 feet 3) North 16 degrees 25 minutes East 147.85 feet and 4) North 48 degrees 36 minutes 10 seconds West 255.10 feet to the place of beginning. As recorded in Deed Liber 5844 Folio 235 etc.

CONTAINING 0.81 acres of land, more or less and located in the 11th election district.



1-8-93

ITEM# 208

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 12/25/94
Posted for: Special Hearing
Petitioner: Orville M. Jones
Location of property: 9523 Belair Rd
Location of Sign: Along driveway on property being zoned
Remarks:
Posted by: William J. ... Date of return: 12/30/94
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD, Dec. 30, 1994
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 29, 1994

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

Publication



Baltimore County Government
Office of Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R001-6150

Number: 208

RJT

Date: 12-12-94

MR. ORVILLE M. JONES

#9533 BELAIR RD

BALTO. MD. 21236

080 - SIGN - \$35.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

95-216-SPH
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 152258
DATE: 10/19/94 ACCOUNT: 2-001-6150
AMOUNT: \$250.00
RECEIVED FROM: Orville M. Jones
FOR: Joe Car West 10244A
1111100333410000 \$250.00
VALIDATION OR SIGNATURE OF CASHIER
WCR

Receipts
To pay for hearing -
did not need DRC
per WCR

ITEM# 208

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 208

Petitioner: ORVILLE M. JONES

Location: 9533 BELAIR RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ORVILLE M. JONES

ADDRESS: 9533 BELAIR JONES

BALTO. MD. 21236

PHONE NUMBER: (410) 296-6630

AJ:ggg

(Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
December 29, 1994 Issue - Jeffersonian

Please forward billing to:

Orville M. Jones
9533 Belair Road
Baltimore, MD 21236
410-256-6630

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-216-SPH (Item 208)

9523 Belair Road

SE/8 Belair Road, 150' x 50' of c/l Horn Avenue

11th Election District - 5th Councilmanic

Legal Owner(s): Orville M. Jones

HEARING: FRIDAY, JANUARY 20, 1995 at 9:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver of the Department of Public Works standards from the requirement to make road improvements along the rear property frontage on Horn Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEADINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 22, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-216-SPH (Item 208)

9523 Belair Road

SE/8 Belair Road, 150' x 50' of c/l Horn Avenue

11th Election District - 5th Councilmanic

Legal Owner(s): Orville M. Jones

HEARING: FRIDAY, JANUARY 20, 1995 at 9:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver of the Department of Public Works standards from the requirement to make road improvements along the rear property frontage on Horn Avenue.

Arnold Jablon
Arnold Jablon
Director

cc: Orville M. Jones
John Guntrum, Esq.
Jodi Flom

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEADINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Printed with Soy-based Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 13, 1995

John Guntrum, Esquire
814 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No.: 208
Case No.: 95-216SPH
Petitioner: Orville Jones

Dear Mr. Guntrum:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 12, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

Date: January 5, 1995

FROM: Robert W. Bowling, Chief
Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting
for January 3, 1995
Item No. 208

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to all previous landscape review comments. In addition, the previous comments from the Development Review Committee recommended against granting a waiver of the improvements to Horn Avenue. These improvements are the responsibility of the Developer. This is still the position of the Department of Public Works.

RWB:jrb

cc: File

RWB10

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 1/12/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: Dec. 27, 1994

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 208
210
212
213
214
215
216

LS:sp

LETTY2/DEPRM/TXTSDP

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Kaller, Director
Office of Planning and Zoning

DATE: January 3, 1995

SUBJECT: 9523 Belair Rd.

INFORMATION:

Item Number: 208

Petitioner: Orville M. Jones

Property Size: _____

Zoning: BL & DR-16

Requested Action: Special Hearing

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

Based upon an analysis of the information provided, staff defers to the position of the Department of Public Works regarding the subject request.

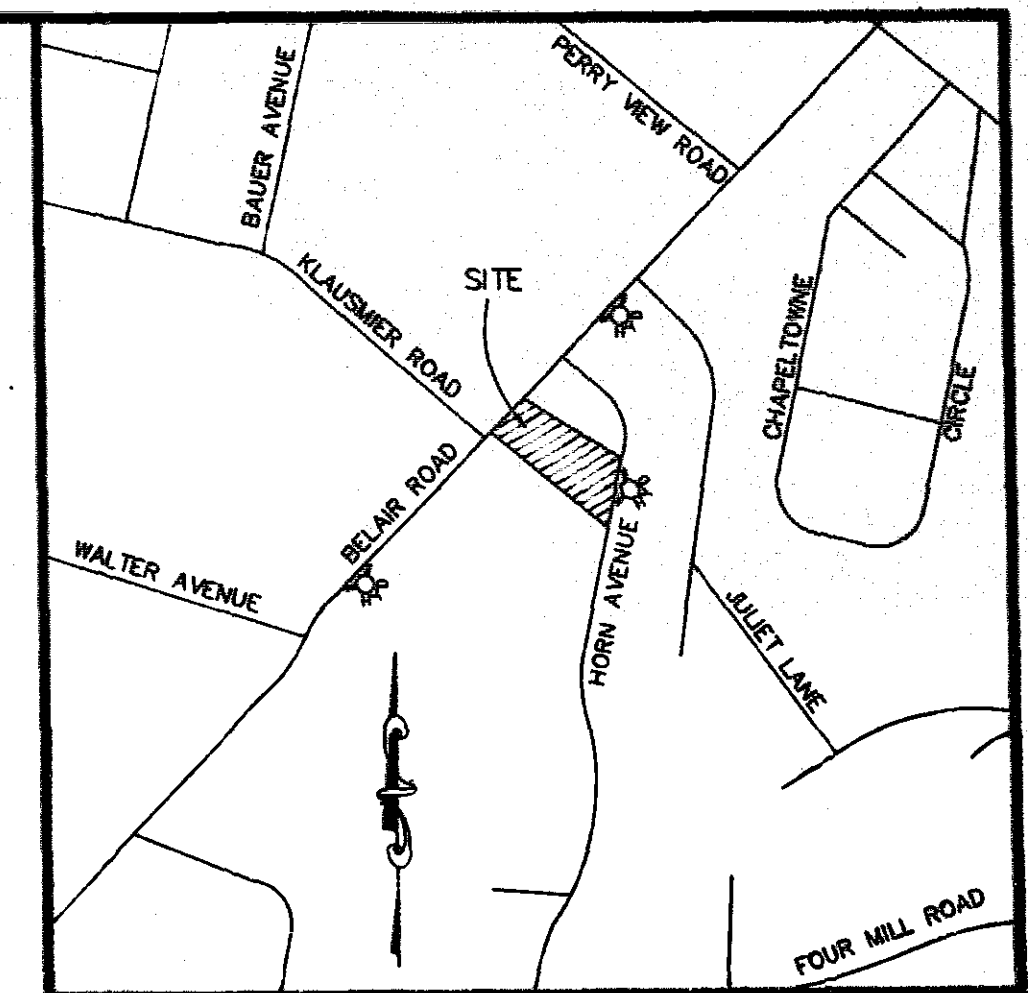
Prepared by: *Jeffrey W. Long*

Division Chief: *Camy Kaller*

PK/JL:lw

ITEM# 208

HYDROLOGIC SOIL GROUPING	SOIL TYPES & LIMITATIONS			
	TYPE	CLASS	BUILDINGS W/ BASEMENTS	BUILDINGS W/O BASEMENTS
C	B&B	SILT/LOAM	MODERATE: SEASONALLY PERCHED WATER TABLE	SLIGHT
D	F&S	LOAM	SEVERE: HIGH WATER TABLE; POOR NATURAL DRAINAGE	SEVERE: HIGH WATER TABLE; POOR NATURAL DRAINAGE



LOCATION MAP
SCALE: 1" = 500'

GENERAL NOTES:

- THIS SITE LIES IN:
 - ELECTION DISTRICT #11
 - COUNCILMANIC DISTRICT #5
 - CENSUS TRACT #4113.03
 - WATERSHED #6
 - SUBWATERSHED #22
- SITE ACREAGE:
 - GROSS: 41,403 SF ± = 0.95 AC ±
 - NET: 32,404 SF ± = 0.74 AC ±
- SEE ZONING CALCULATIONS FOR REQUIRED PARKING CALCULATIONS.
- Q DENOTES NUMBER OF PARKING SPACES PROPOSED.
- SEE LANDSCAPING PLAN FOR INFORMATION PERTAINING TO SCREENING OF DUMPSTERS.
- LANDSCAPING REQUIRED:
 - REFER TO PRELIMINARY LANDSCAPE PLAN.
- FLOOR AREA RATIO PERMITTED = 3.0
- FLOOR AREA RATIO PROPOSED = $\frac{32,404}{41,000} = 0.1$
- THERE ARE NO KNOWN WELLS, SEPTICS OR STORAGE TANKS WITHIN 100' OF SITE PER OWNER.
- SOIL TYPES: B&B, F&S
- AREAS WHERE DEVELOPMENT OCCURS, VEGETATION TO BE REMOVED UNLESS OTHERWISE NOTED.
- PER F.E.M.A. FLOOD INSURANCE RATE MAP #240010 0290 B SITE LIES IN ZONE 'C'.
- THERE ARE NO HISTORIC BUILDINGS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, OR HAZARDOUS MATERIALS KNOWN ON SITE.
- EXISTING ZONING OF SITE/ACRES:
 - BL 0.63 AC ±
 - DR 16/0.11 AC ±
- ANY FIXTURE USED TO ILLUMINATE ANY OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES, INSTITUTIONAL SITES, AND PUBLIC ROADS. LIGHTING DENOTED THUS:
- DEED OF OWNERSHIP - E.H.K. Jr. 5844/235
- TAX ACCOUNT # - 11-20066828
- OWNER - ORVILLE M. JONES
- 9523 BELAIR ROAD
- BALTIMORE, MD. 21236
- AVERAGE DAILY TRIPS: 8 HRS. x 6 BAYS @ 4 CARS PER HOUR + 8 HRS. x 1 BAY @ 12 CARS PER HOUR = (8x24) + (8x12) = 288 A.D.T.
- PROPOSED 24 HR. OPERATION W/1 ATTENDANT
- VACUUM STATIONS INDICATED THUS:
- PERIMETER OF PARKING LOT IS TO BE CURBED
- ENTIRE DRIVE PORTION OF SITE IS IN R.T.A.
- TOTAL SITE WILL BE DISTURBED (N/A EX. NEEDED AREA).
- ZONING CALCULATIONS:
 - EXISTING ZONING OF TRACT BL AND DR-16.
 - PROPOSED ZONING OF TRACT BL AND DR-16 WITH SPECIAL EXCEPTION FOR CAR WASH SECTION 419
 - ACREAGE GROSS 0.95 AC ±
 - NET 0.74 AC ± (0.63 AC BL 0.11 AC DR-16)
 - VEHICULAR WAITING LINE STORAGE CALCULATIONS REQUIRED STORAGE FOR 30 MINUTE PERIOD:
 - OWNER WASH 6 BAYS @ 15 MIN/WASH = 6 x 30 MIN./15 = 12 SPACES
 - ATOMIC 1 BAY @ 5 MIN/WASH = 1 x 30 MIN./5 = 6 SPACES
 - ADDITIONAL 10 SPACES
 - TOTAL REQUIRED 28 SPACES
- S.H.A. NOTE:
 - EXISTING CURB ALONG BELAIR ROAD SHALL BE REPAIRED/REPLACED AT THE DISCRETION OF THE S.H.A. SITE ENGINEER.
 - SIGN NOTE:
 - SIGNS WILL BE IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF THE BALTO. COUNTY ZONING REGULATIONS S.413.2 & S.413.5.



January 7, 1993
Orville Jones, Inc.
2500 Belair Road
Baltimore, MD 21236
Attn: Mr. Orville Jones

Dear Mr. Jones:

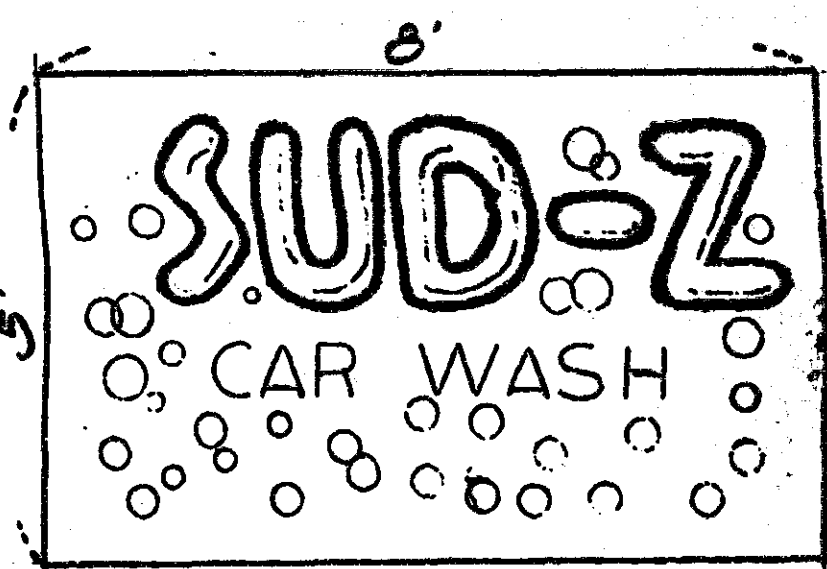
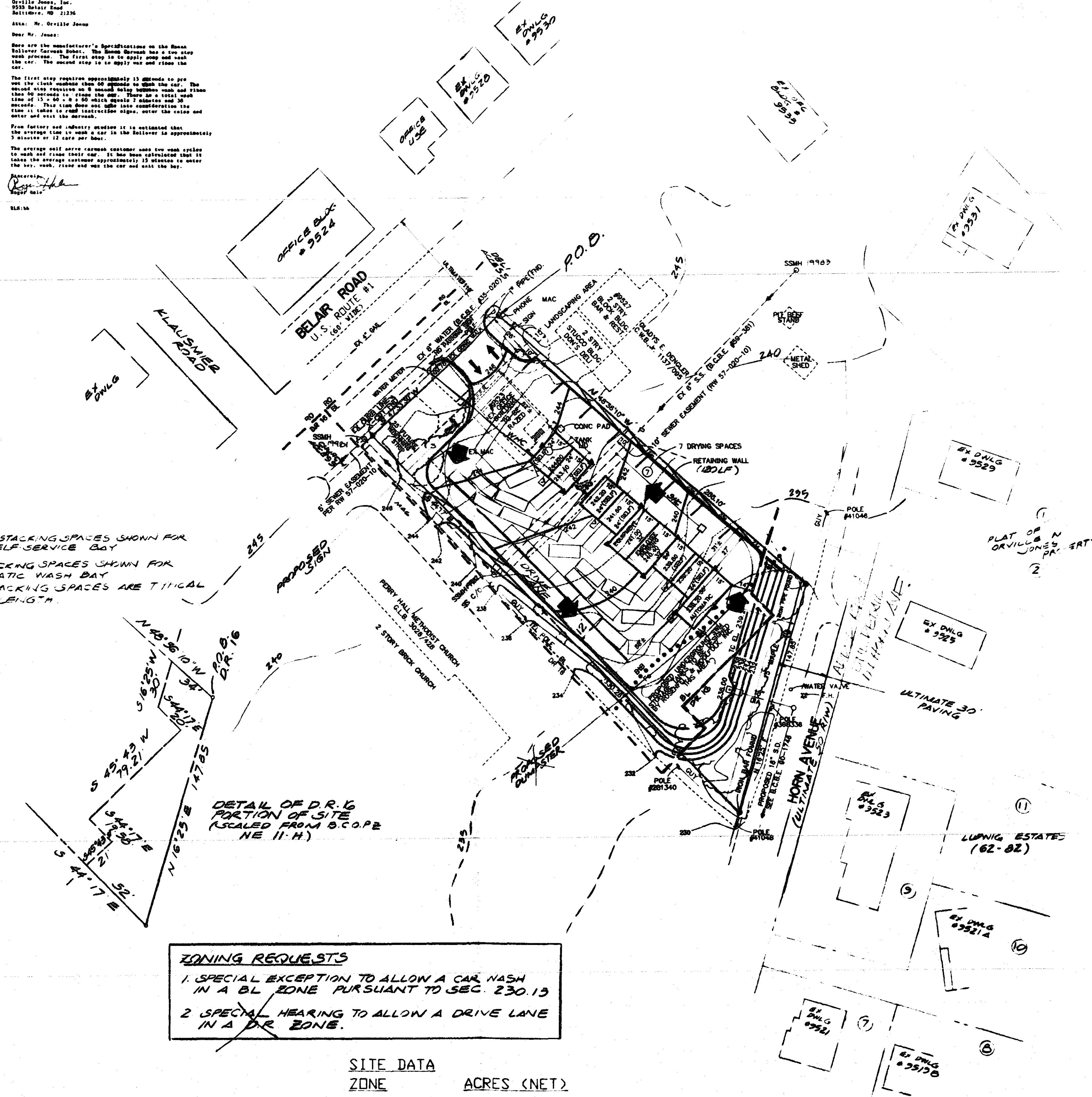
Here are the manufacturer's specifications on the Simon Baller Carwash Model. The Simon Carwash has a two-step wash process. The first step is to spot clean and seal the car. The second step is to apply wax and seal the car.

The first step requires approximately 15 minutes to pre-wash the car and the second step requires 10 minutes to wash and seal the car. The total time for the two-step process is 25 minutes. The car is then dried and the customer is notified. The car is then driven to the car wash and the customer is notified. The car is then driven to the car wash and the customer is notified.

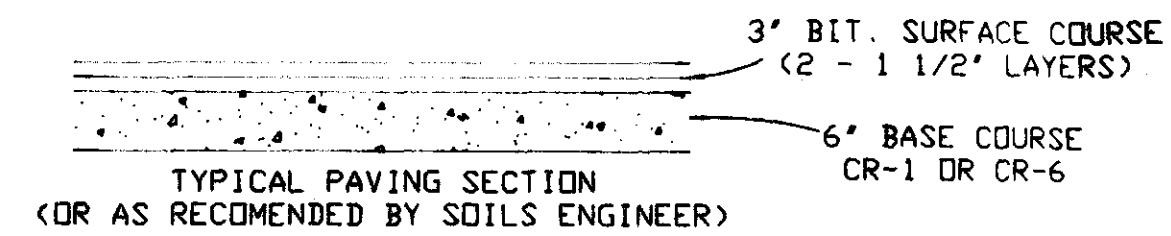
From factory and industry standard it is estimated that the average time for a car in the Baller to approximately 5 minutes or 15 cars per hour.

The average car wash customer uses two wash cycles to wash and seal their car. At the time calculated that to take the average customer approximately 15 minutes to enter the car, wash, seal and wax the car and exit the car.

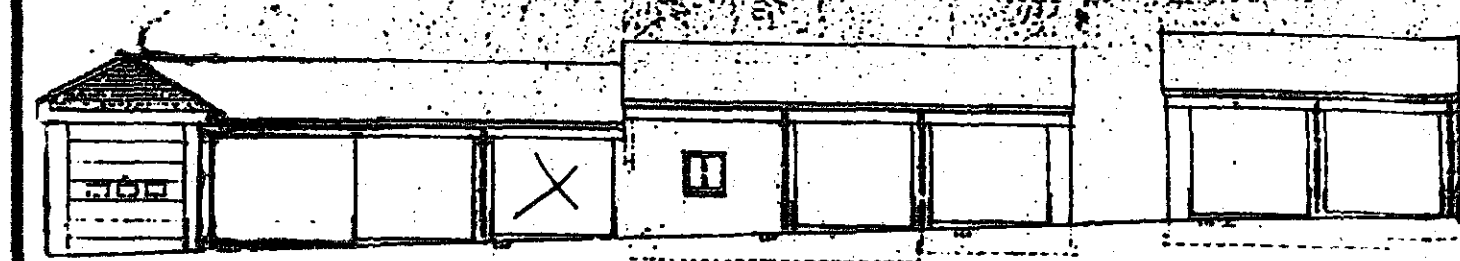
Respectfully,
Orville Jones
Site Engineer



PROPOSED DOUBLE FACED SIGN
1" = 2'



SOUTHWEST FACE OF BLDG.



NORTHEAST FACE OF BLDG.

ZONING REQUESTS

- SPECIAL EXCEPTION TO ALLOW A CAR WASH IN A BL ZONE PURSUANT TO SEC 230.13
- SPECIAL HEARING TO ALLOW A DRIVE LANE IN A DR ZONE.

SITE DATA	
ZONE	ACRES (NET)
BL	0.63
DR-16	0.11
SITE DEVELOPMENT PROPOSAL	
PROPOSED UNITS	
7 BAYS	1 EQUIPMENT UNIT 1 PARKING UNIT
OPEN SPACE PROPOSED	
(N/A)	
STACKING REQUIRED	STACKING PROPOSED
28 SPACES	28 SPACES

DATE	REVISION
1-1-93	FOR EXISTING ZONING
1-8-93	FOR EXISTING ZONING
12-25-92	FOR EXISTING ZONING

#92221Z

DEVELOPMENT PLAN & PLAN TO ACCOMPANY REQUEST FOR SPECIAL EXCEPTION & SPECIAL HEARING

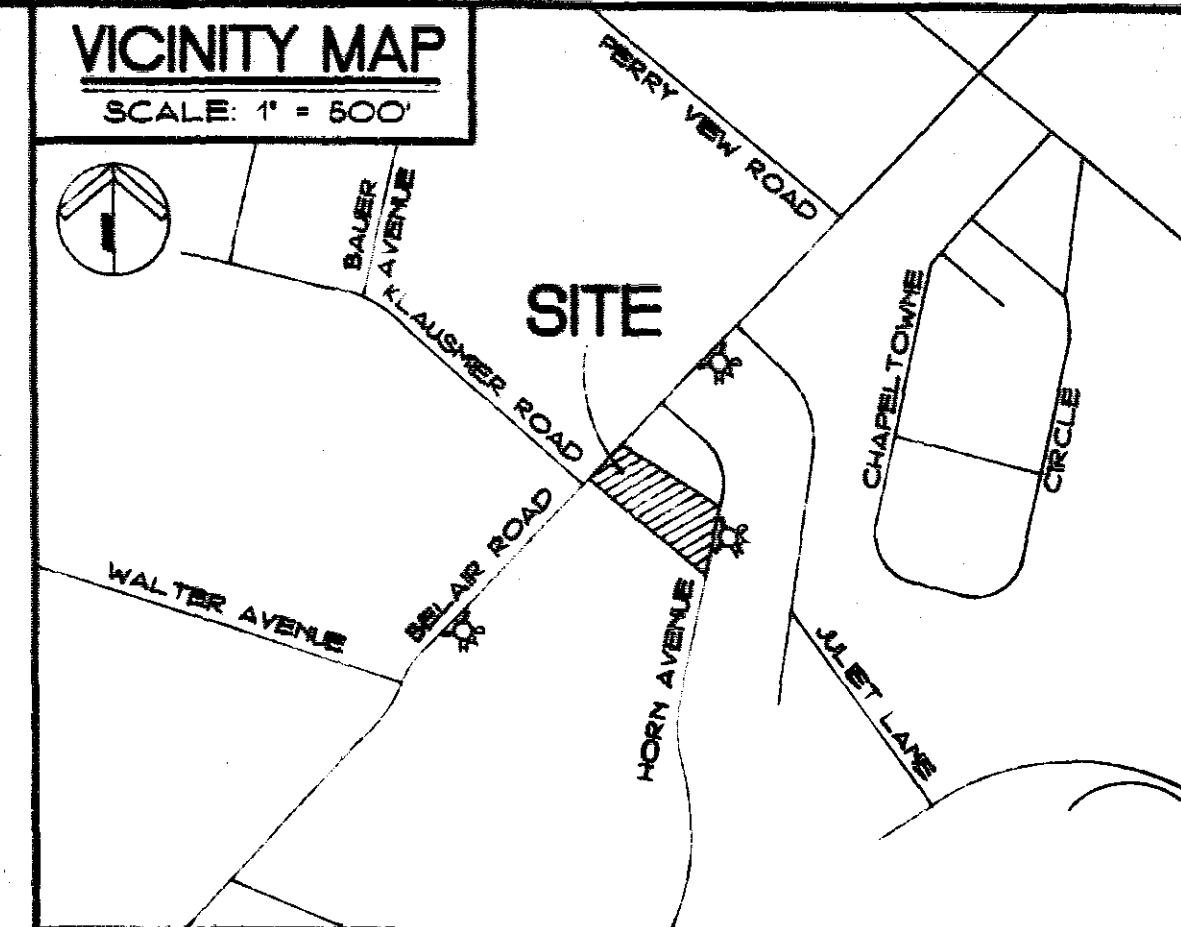
JONES CARWASH
#9523 BELAIR ROAD

11th ELECTION DISTRICT
SCALE: 1" = 40'
RECEIVED 1" = 20' PLAN DATED 2-1-93

BALTIMORE COUNTY, MD. 1-13-92

OWNER/APPLICANT ORVILLE M. JONES #9523 BELAIR ROAD BALTIMORE, MD. 21236 (410) 256-6530	DEED REFERENCE 5844/235 TAX ACCOUNT # 11-20066828
--	--

J.S. DALLAS, INC.
Surveying & Engineering
4932 Hazelwood Avenue
Baltimore, Maryland 21206
Telephone: (410) 666-2001



BENCHMARK:
 BENCHMARK: HUB 1, 618' ELEV. 246.599' RAILROAD SPIKE IN MACADAM
 SOUTHEAST CORNER BEL AIR ROAD AND HORN AVENUE

GENERAL NOTES

- Orville M. Jones
 9523 Belair Road
 Baltimore Md. 21236
 (410) 256-6630
- Dead Reference: 5844/235
 Tax Account No.: 11-2008828
 Acreage - Gross: 0.95 AC ±
 Net: 0.74 AC ±
- F.A.R. - Permitted: 3.0
 Proposed: 4080sf/41000sf = 0.1
- Off-Street Parking/Vehicular Waiting Line Storage:
 (Required Storage for 10-Minute Period)
 Owner Wash: 6 Bays @ 15 min/wash = 2/bay = 12 spaces
 Automatic: 1 Bay @ 5 min/wash = 6/bay = 6 spaces
 Additional: 10 spaces
 Total Required: 28 spaces
 Total Provided: 28 spaces
- Zoning History: Special Exception for Car Wash and Development
 Plan Approved by Baltimore County Zoning Board of Appeals and
 Baltimore County Circuit Court (Case No. CBA 93-133).
- Signs will be in conformance with the applicable provisions of
 the Baltimore Co. Zoning Regulations S.413.2 and S.413.5.

95-216-SPH

ITEM #200

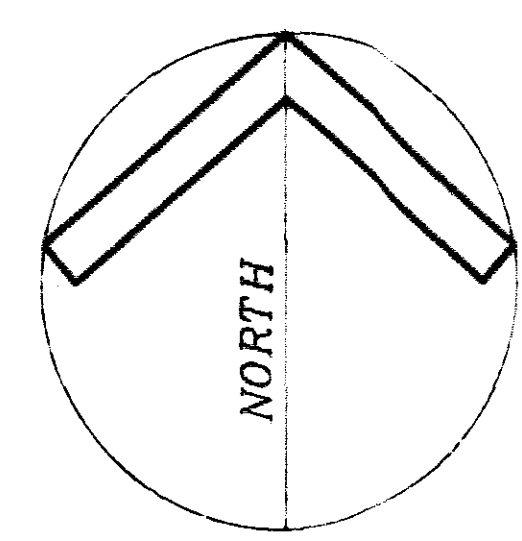
PLAT TO ACCOMPANY SPECIAL HEARING

JONES CARWASH
 #9523 BELAIR ROAD
 BALTIMORE COUNTY, MD.
 11TH ELECTION DISTRICT C5
 DEED REFERENCE: 5844/235
 TAX ACCOUNT #: 11-2008828

REVISIONS:	SCALE: 1"=20'
DATE:	JOB NO.: 94063
DESIGNED:	DRAWN:
CHECKED:	FILE: 94083SIT.DWG
	DRAWING NUMBER:

Colbert Matz Rosenfelt & Woolfolk, Inc.
 Civil Engineers - Landscape Architects
 Land Surveyors - Land Planners
 3723 Old Court Road, Suite 206
 Baltimore, Maryland 21208
 Telephone: (410) 653-3838
 Facsimile: (410) 653-7853

OWNER/APPLICANT
 ORVILLE M. JONES
 #9523 BELAIR ROAD
 BALTIMORE, MD. 21236
 410/256-6630



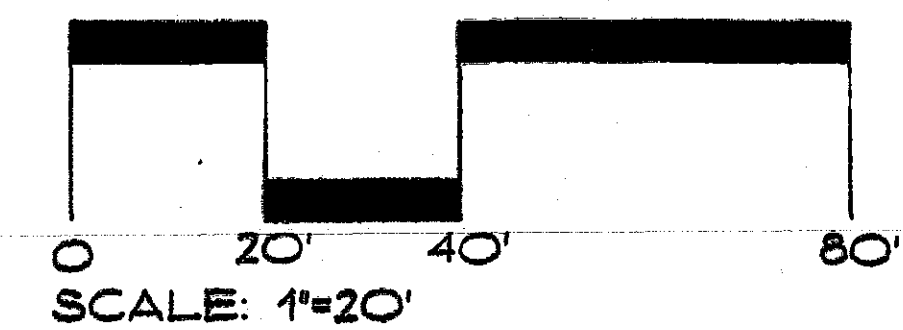
SSMH #3

SITE DATA
 ZONE: BL
 ACRES (NET): 0.62
 DR-16: 0.12
SITE DEVELOPMENT PROPOSAL
 PROPOSED UNITS: 7 BAYS 1 EQUIPMENT UNIT
 OPEN SPACE PROPOSED: (N/A)
STACKING REQUIRED: 28 SPACES
STACKING PROPOSED: 28 SPACES

NOTE: OFF SITE GRADING RIGHTS GRANTED BY PROPERTY OWNER

LEGEND

EXISTING CONTOURS	240
PROPOSED CONTOURS	240
EXISTING CURB & GUTTER	---
EXISTING C&G TO BE REMOVED	---
PROPOSED C&G	---
ZONING BOUNDARY	---



BELAIR ROAD
 U.S. ROUTE #1
 160' WIDE

PERRY HALL METHODIST CHURCH
 G.L.B. 3028/428
 2 STORY BRICK CHURCH

FENCED DUMPSTER PAD

HORN AVENUE

PROPOSED STORM WATER MANAGEMENT FACILITY (SEE S.W.M. PLANS)

PROP. "DO NOT ENTER" SIGNS

7 DRYING SPACES

PROP. RETAINING WALL (BY OTHERS)

PROPOSED BIT. CONC. PAVING THROUGHOUT

EX. MAC TO BE REMOVED

PROPOSED CONC. ASP. IN THE PUBLIC R/W IN ACCORDANCE W/ BALTO. CO. STD. PLATE R-21

PROPOSED ENTRANCE IN ACCORDANCE W/ BALTO. CO. STD. PLATE R-22

EXISTING PLS. TO BE RELAYED BY SHA

EX. GAS

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES

BL. & WATER GASES